GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – Registration & Stamps Department - Disciplinary proceedings initiated against Smt.P.Satyavathi, Sr.Asst., SRO, Tuni and another for registration of certain documents with undervaluation – Regular enquiry conducted – IA report communicated – Representation received – Further action dropped – orders – Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No.1183 Dated:23-12-2016

Read the following:

1.C&IG, R&S Lr.No.X2/898/2014, dt:28-7-2014 along with report of DIG, R&S, Kakinada.
2. DIG, R&S, Kakinada Procs.No.X/552/2013, dt:29-6-2013.
3. DIG, R&S, Kakinada Procs.No.X/608/2013, dt:29-6-2013.
4. DIG, R&S, Kakinada Procs.No.X/609/2013, dt:29-6-2013.
5. WSD of Sri Ch.V.Brahmam, former SR, Tuni (Retired) dt:10-7-2013.
6. DIG, R&S, Kakinada Pocs.No.X/552/2013, dt:4-6-2014.
7. DIG, R&S, Kakinada, Lr.No.X/552/2013, dt:20-8-2015 along with IA report.
8. Govt., Memo.No.23989/Vig.II(1)/2014-1, dt:2-1-2016.
9. Representation of Smt.P.Satyavathi, Sr.Asst., SRO, Tuni dt:10-3-2016.
10.DIG, R&S, Kakinada Lr.No.X/552/2013, dt:22-8-2016.

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ORDER:

Whereas, in the reference 1st read above, it has been reported that the District Registrar (Market Value & Audit) in the Audit Report (Internal Audit Report.No.46/2012) has detected loss of Revenue to a tune of Rs.8,06,548/- in respect of Document Nos. 7022/2011, 7023/2011, 813/2012, 814/2012, 815/2012 and 816/2012 having Sy.No.4 of S.Annavaram village of Sub Registrar Office, Tuni, Kakinada Registration District.

2. And whereas, in the reference 2nd read above, the Disciplinary Authority i.e., the Deputy Inspector General, Registration & Stamps, Kakinada has initiated common disciplinary proceedings against Smt.P.Satyavathi, former Senior Assistant, Sub Registrar Office, Tuni and another since they were jointly concerned in a disciplinary case.

3. In the reference 3rd read above, the Disciplinary Authority has initiated disciplinary proceedings duly framing the following charge against Smt.P.Sattvathi, Senior Assistant, Sub Registrar Office, Tuni.

Charge against Smt.P.Satyavathi, Sr., Asst., Sub Registrar Office, Tuni:

That Smt.P.Satyavathi, Senior Assistant, Tuni, Kakinada Registration District is responsible along with Sub Registrar for not detecting the wrong adoption of market value on the document Nos.7022/2011, 7023/2011, 813/2012, 814/2012, 816/2012, wherein, the above mentioned documents having Sy.No.4 of S.Annavaram village of Sub Registrar Office, Tuni, as seen from the market value Register, the above mentioned Sy.No is included in "Abutting to Natioal Highway" classification and the market value has to be adopted @ Rs.38,72,000/- per acre. But, Smt.P.Satyavathi, Senior Assistant, Sub Registrar Office, Tuni classified the nature of above Sy.No. as "Dry" and adopted @ Rs.6,00,000/- per acre by violating the market value guidelines instructions issued by the department, with negligence, lack of devotion to duty and there by caused heavy amount of loss to the State Government".

4. The Charged Officer has submitted Written Statement of Defence stating that that the then Sub Registrar has entrusted only "D" Account Admissions, Marriage Registrations and Bills but not entrusted the market value duty. She

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has also stated that Sub Registrar only had dealt with the Registrations and Market Value without her involvement. She has further stated that if the above stated facts proved genuine, requested to exonerate from the charge framed against her.

5. The Disciplinary Authority having not convinced with the Written Statement of Defence has appointed District Registrar, Rajahmundry as Inquiring Authority in the reference 6th read above.

6. In the reference 7th read above, the Inquiring Authority submitted the report stating that on the basis of documentary and oral evidence adduced in the case before him and in view of the reasons given therein, he hold that the charge held proved against Smt.P.Satyavathi, Senior Assistant, Sub Registrar Office, Tuni.

7. Government have examined the matter, communicated the Inquiring Authority report to the Charged Officer Smt.P.Satyavathi, Senior Assistant, Sub Registrar Office, Tuni among another in the reference 8th read above.

8. In the reference 9th read above, the Charged Officer Smt.P.Satyavathi, Senior Assistant, Sub Registrar Office, Tuni has submitted representation stating that she has neither verified nor calculated the particular Document Nos.7022/2011, 7-23/2011, 813/2012, 814/2012, 815/2012, 816/2012 of Sub Registrar Office, Tuni during the admission of the said documents and stated that the Sub Registrar, Tuni has not assigned the Market value verification to the documents presented by the registering public. She has further stated that the office order No.1 of 2011 made by the Sub Registrar, Tuni with back date i.e., after the above said issue has been come into the light and also stated that the said office order was not acknowledged by her and any staff member of the office.

9. She has further stated that Sri Ch.V.Brahmam the then Sub Registrar, Tuni in his explanation has stated that that "The schedule property situated in Sy.No.4, Ac. 0.85 cents relates to S. Annavaram Village is purely an agricultural land but not site and stated that as seen from the market value guide lines register maintained in their office, the Survey numbers pertaining to sites which are situated and abutting to National Highway, the market value fixed @ Rs.38,72,000/ per acre and stated that as per the certificate issued by the Tasildar, Tuni and patta dar pass books issued by the revenue authorities in respect of Survey number 4 of S.Annavaram village to an extent of Ac 0.85 cents, is a dry cultivation land and it is not abutting to National High way as per the boundaries furnished in the document basing on the certificate issued by the Tahsildar, Tuni and having pattadar pass books which were issued by revenue authorities, the said schedule property has been registered."

10. She has further stated that the parties to the documents have produced the Pattadar Pass Books and Title Deeds and Certificates from the Tahsildar, Tuni evidencing to be a cultivated lands and hence stated that these documents registered in the interest of the registering public basing on the certificates produced by the parties but not registered intentionally.

11. She has finally stated that she had attended the work relating to the admission of Account-D, Marriage Registrations and preparation of Bills only and stated that the Sub Registrar, Tuni has never sent the Document for verification of Market Value to her. She has further stated that she never verified the Market Value of Documents and stated that as per the instructions of Commissioner & Inspector General, Registration & Stamps, Andhra Pradesh, Vijayawada in proceedings No.MV1/25476/94, Dated 17.09.1994 she is not responsible for the Loss of Revenue of Rs.8,06,548/-pertaining to Document Nos.7022/2011, 7023/2011, 813/2012, 814/2012, 815/2012, 816/2012 Sub Registrar office, Tuni and thereby requested to consider the above facts and exonerate her from the charge if the authorities so pleases.

12. Government have examined the matter obtained certain report from the Deputy Inspector General, Registration & Stamps, Kakinada, observed that the issue for examination is whether Senior Assistant (Market Value) is also

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responsible along with Sub Registrar or the Sub Registrar alone is responsible for determining the rate of Market Value of the property.

13. The Deputy Inspector General, Registration & Stamps, Kakinada has stated that it was ordered in Inspector General's Proceedings No.MV2/23891/88, dated:17-6-1988 that wherever, there is Senior Assistant (Market Value), both the Sub Registrar and Senior Assistant (Market Value) will be held responsible for any loss of Revenue due to incorrect calculation of Market Value and stated that later, the said orders were modified through Item (iii) in Inspector General's Proceedings No.MV1/25476/94, datedt:1994 that the Senior Assistant (Market Value) shall be solely responsible for any mistake in the calculation of value of the build up area, depreciation allowed, 18 times of Annual Rental Value etc.,. He has further stated that the Joint Sub Registrar-I of the main (Registrar) Sub Registrar as the case may be held responsible for any mistake other than calculation mistake in implementing the Market Value Scheme.

14. With the above observations, the Deputy Inspector General, Registration & Stamps, Kakinada has stated that in this case, the loss of revenue is not on account of calculation mistake and stated that it is purely due to adoption of incorrect rate of market value. Hence, the Deputy Inspector General has stated that the rate of market value of the property was wrongly adopted by the Sub Registrar taking into account the rate fixed for the Dry land, instead of the rate fixed for the Dry land abutting to National High way as the said land is situated abutting to National Highway. With the above remarks, the Deputy Inspector General, Registration & Stamps, Kakinada has stated that the references quoted by the Regular Enquiry Officer in his report of findings relates to the prior to the year 1994 i.e., the modification orders issued by the Commissioner & Inspector General, Registration & Stamps, Andhra Pradesh, Vijayawada and stated that the orders passed by the Sub Registrar in the office order Book allocating the duties to the Senior Assistant do not hold good in view of the modification orders vide Commissioner & Inspector General Proceedings No.MV1/25476/94, dated:17-9-1994 in so far as the responsibility is concerned and thus, he stated that it does not seems to be any valid ground to hold that the Senior Assistant (Market Value) is also responsible for the loss of Revenue.

15. Government after careful examination of the matter observed that Smt.P.Satyavathi, Senior Assistant is not responsible for the loss caused. Therefore, it is decided and hereby order to drop further action against Smt.P.Satyavathi, Senior Assistant, Sub Registrar Office, Tuni.

16. The Deputy Inspector General, Registration & Stamps, Kakinada shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJEYA KALLAM
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

The Individual (through the DIG, R&S, Kakinada with a request to serve the order on the CO and furnish the served copy to Government for record).
The Deputy Inspector General, Registration & Stamps, Kakinada
Copy to:
The Director & Inspector General, Registration & Stamps, Eedupugallu, Vijayawada, Krishna District, Andhra Pradesh.
SF / SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER